

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 ANGELA V. SMITH,

4 Plaintiff

5 v.

6 ANDREW SAUL,

7 Defendant

Case No.: 2:20-cv-00710-APG-VCF

**Order Accepting Report and  
Recommendation and Dismissing Case**

[ECF No. 52]

8 On September 28, 2021, Magistrate Judge Ferenbach recommended that I dismiss this  
9 case because plaintiff Angela Smith failed to appear for two court hearings, failed to respond to  
10 an order to show case, and has not made an appearance in the case since June 15, 2021. ECF No.  
11 52. Smith did not object. Thus, I am not obligated to conduct a de novo review of the report and  
12 recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to “make a de novo  
13 determination of those portions of the report or specified proposed findings to which objection is  
14 made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the  
15 district judge must review the magistrate judge’s findings and recommendations de novo if  
16 objection is made, but not otherwise” (emphasis in original)).

17 I THEREFORE ORDER that Judge Ferenbach’s report and recommendation (**ECF No.**  
18 **52) is accepted** and plaintiff Angela Smith’s complaint (**ECF No. 4) is dismissed with**  
19 **prejudice** for failure to comply with court orders and failure to prosecute. The clerk of court is  
20 instructed to enter judgment accordingly and to close this case.

21 DATED this 22nd day of October, 2021.

22 

23 ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE